

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
No. CAF 3213 of 2006
in
First Appeal No. 1721 of 2003

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar' orders.	Court' or Judge' s orders
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Mr. Niranjan Shimpi applicant.

Mr. P. N. Joshi for respondents 1 & 2.

CORAM: SMT.RANJANA DESAI

&

SHRI A.P.DESHPANDE JJ.

DATE:31/07/2006

P.C.:

Heard learned counsel for the applicant.

By reason of the conditional order passed by the Registrar (Judicial) dated 14/10/.2004 this appeal has been dismissed for want of prosecution. In this Civil Application the applicant has prayed that the order dated 14/10/2004 be recalled and the first appeal be restored to file. There is a delay of about one year in taking out this Civil Application. Learned counsel for the respondents strenuously opposed this Civil Application. In the facts and circumstances set out in the Civil Application we feel that the delay needs to be

condoned and the writ petition needs to be restored to file, after saddling the applicant with costs, quantified at Rs.5000/-. Hence on the applicant paying costs quantified at Rs.5000/- within three weeks from today delay shall stand condoned and the writ petition shall stand restored to file. Civil application is disposed of.

(SHRI A.P.DESHPANDE J.) (SMT.RANJANA DESAI J)